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HON. STEVEN JAHR
Administrative Director of the Courts

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Mr. Mark P. Robinson, Jr.

October 15, 2012

Ms. Elaine M. Howle
California State Auditor
Bureau of State Audits
555 Capitol Mall, Suite 300
Sacramento, California 95814

Re: October 1, 2012 Letter on Pending Recommendations from the Bureau of State Audits

Dear Ms. Howle:

The Judicial Council and the Administrative Office of the Courts (AOC), which implements council policy, received the audit report of the Bureau of State Audits (BSA) on the California Court Case Management System (CCMS) under your cover letter of February 8, 2011, and our responses were included. Your letter indicated that the AOC should report to the BSA within 60 days, six months, and one year on our efforts to implement the recommendations and provide updated information for each interim period, and we have submitted each of these reports.

As stated in prior responses, all recommendations were accepted and we believe that all of the recommendations have been acted upon. They are either partially implemented or pending as many are tied to future actions that BSA is unaware of or has not yet been reviewed. Information concerning our activities is available at your request and is documented in our CCMS files, the Judicial Council's reports and minutes, and other judicial branch records. We are available to meet and resolve outstanding questions so that BSA can confirm we have addressed the recommendations. It is important to note that a number of recommendations have been implemented pursuant to the direction provided by the Judicial Council. The attached response forms provide further detail in this regard.

At the March 27, 2012 Judicial Council meeting, the council voted to stop the deployment of CCMS V4 and directed the CCMS Internal Committee,

in partnership with the trial courts, to develop timelines and recommendations to the council for:

- Establishing an approach and vision for implementing technology that serves the trial courts, litigants, attorneys, justice partners, and the public while considering available resources and technology needs;
- Leveraging the V4 technology and developed software to benefit ongoing judicial branch technology solutions;
- Providing technology solutions in the near term to improve efficiencies in court operations, by maximizing the value of document management systems, e-filing capabilities, and e-delivery services for the benefit of litigants, attorneys, justice partners, and the public;
- Establishing a judicial branch court technology governance structure that would best serve the implementation of the technology solutions otherwise included in these recommendations;
- Developing alternatives for the V4 early adopter court, San Luis Obispo, to meet its current case management system needs; and
- Developing strategies to assist trial courts with existing critical case management system needs.

Subsequent to that meeting, the scope of the activities was more fully defined and activities with overlapping goals were combined. Also, the role of the CCMS Internal Committee was redefined and the committee renamed as the Judicial Council Technology Committee with responsibility for reporting back to the Judicial Council and ensuring that branch technology actions are consistent with the policies and priorities established by the council:

- Terminating V4 as a statewide technology project;
- Developing the Judicial Branch Technology Vision and Roadmap and Technology Governance Structure;
- Leveraging the CCMS technology; and
- Developing case management system strategies and alternatives for courts with outdated or failing systems.

The Technology Committee is actively working with the trial courts to include them in the decision-making process. In May 2012, the Technology Committee established the Judicial Branch Technology Working Group. This working group is composed of presiding judges, court executive officers, and court information technology officers to assist in the overall effort of defining and confirming requirements for branchwide technology initiatives and activities, including leveraging CCMS. The working group launched five parallel workstreams to address the March 27 Judicial Council directives, which focus on the critical short-term business needs of the courts and a long-term strategic vision for the judicial branch. These workstreams are the Technology Roadmap, which will define the technology vision for the branch; a V2/V3 maintenance strategy for those courts previously awaiting deployment of CCMS; a case management system request for proposals (RFP), which will provide a master services agreement available to all courts; the reuse of CCMS V4 components; and an e-filing strategy

including a master services agreement for e-filing vendors. Each workstream is a collaboration of trial court stakeholders, sponsored by a member of the working group to ensure direct committee participation and subject matter knowledge. Due to budgetary constraints, the Judicial Council directive to evaluate the reuse of CCMS V4 components has been halted and the CCMS Program Management Office has been eliminated.

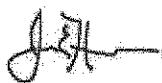
In March 2011, the Chief Justice established a Strategic Evaluation Committee (SEC) to conduct an in-depth review of the Administrative Office of the Courts (AOC) and its organizational structure to promote transparency, accountability, and efficiency in providing services to the courts. Following the review, the SEC provided an in-depth analysis and recommendations in a report to the Chief Justice in May 2012. This report was presented to the Judicial Council at its June 2012 meeting. A number of recommendations, published in August 2012 by the Judicial Council in response to the SEC report, correspond to the BSA's recommendations. Actions taken and activities under way address recommendations for more comprehensive analyses, including business case, branch impact, and cost-benefit analysis, as well as greater input and collaboration with the courts in decision making. Some Judicial Council recommendations have already been implemented. Other recommendations are ongoing, while some have target dates for 2012 and 2013. Using the BSA response forms provided, we have noted those instances where we believe the recommendations of the Judicial Council closely align with those of the Bureau of State Audits.

As requested in your letter, attached are the response forms for recommendations 1–10 detailing the actions taken to comply with these recommendations.

In conclusion, we continue to follow and implement the audit report recommendations. Ongoing activities are being appropriately monitored, and critical processes are being implemented that will provide for more complete, accountable, transparent, and efficient operations and practices. While budget constraints continue to be a challenge, we are committed to ensuring high quality service to meet the needs of the citizens of Californians, the judicial branch, and its partners.

Thank you for your continued assistance provided through the audit process and your staff's continued communications concerning activities that will assist in correcting the remaining issues. Please feel free to contact Mr. Mark Dusman, Director of the Information & Technology Services Office, if you have any questions or concerns or require additional information.

Sincerely,



James E. Herman
Chair, Technology Committee



Steven Jahr
Administrative Director of the Courts

Ms. Elaine M. Howle
October 15, 2012
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JH and JJ/jc

Attachments

cc: Hon. Tani Cantil-Sakauye, Chief Justice of California and Chair of the Judicial Council
Judicial Council Technology Committee

Ms. Jody Patel, Chief of Staff, Administrative Office of the Courts, AOC

Mr. Curt Soderlund, Chief Administrative Officer, AOC

Mr. Mark Dusman, Director/Chief Information Officer, Information & Technology Services
Office, AOC Judicial and Court Administrative Services Division

Ms. Virginia Sanders-Hinds, Senior Manager, Information & Technology Services Office,
AOC Judicial and Court Administrative Services Division

Update on Recommendation That Is Not Fully Implemented

Please complete a separate "Update on Recommendation That Is Not Fully Implemented" form for each recommendation.

Department Name: Judicial Branch: Judicial Council of California, Administrative Office of the Courts

Report Number: 2010-102

- 1) Which recommendation is addressed on this form? Please identify the specific recommendation number noted in the State Auditor's letter. 6 – 2.3f

Recommendation No. 6—Recommendation 2.3.f—See pages 40—47 of the audit report for information on the related finding. To better manage costs of future IT projects, the AOC should disclose full and accurate cost estimates to the Judicial Council, the Legislature, and stakeholders from the beginning of projects.

- 2) Has your agency fully implemented the recommendation? Yes

If Yes, answer **only** questions 3 and 4 below.

If No, answer **only** question 5 and other questions, as directed in question 5.

- 3) By what date did your agency fully implement this recommendation? August 2012

- 4) Explain how your agency has fully implemented the recommendation. Please also provide copies of any supporting documents or other evidence including, but not limited to, documents referenced in your explanation.

The Judicial Branch Technology Committee, in collaboration with working groups and advisory committees, is establishing a branch governance structure that will enable communication to the Judicial Council, the legislature and stakeholders. With the March 27, 2012 Judicial Council decision to end CCMS, the Judicial Council tasked the Technology Committee with overseeing the council's policies concerning technology. The Technology Committee is responsible, in partnership with the courts, to coordinate with the Administrative Director of the Courts and all internal committees, advisory committees, commissions, working groups, task forces, justice partners and stakeholders on technological issues relating to the branch and the courts. The committee is responsible to ensure compliance with council policies and that specific projects proceed on schedule, and within scope and budget.

In May 2012, the committee established the Judicial Branch Technology Initiatives Working Group, consisting of Presiding Judges, Court Executive Officers, and Court Information Officers, to assist in the overall effort of defining and confirming requirements for branchwide technology initiatives to address the short-term critical technology needs for the Judicial Branch, and a long-term strategic vision for the Judicial Branch. As a result of this effort, the Technology Committee will develop a governance structure for technology programs that will provide the oversight, monitoring, transparency and accountability recommended by the BSA and further supported by the Judicial Council recommendations published August 2012. Project implementations will be subject to the approval of the Technology Committee.

In addition to the project oversight provided by the governance structure, the superior courts, the appellate courts, and the Administrative Office of the Courts are all subject to the Judicial Branch Contract Law which requires the approval from the California Technology Agency for projects of the Judicial Council or the courts with total costs estimated at more than five million dollars.

We believe the above measures will provide the necessary oversight to ensure communication of costs at the onset of projects.

5) Does your agency intend to fully implement the recommendation? ____

If **Yes**, answer **only** questions 6 and 7 below.

If **No**, answer **only** question 8 below.

6) By what date will your agency fully implement the recommendation? _____

7) Please describe your agency's plan for implementing the recommendation.

8) Provide your agency's reason(s) for not fully implementing the recommendation. _____

(10/10)

Update on Recommendation That Is Not Fully Implemented

Please complete a separate "Update on Recommendation That Is Not Fully Implemented" form for each recommendation.

Department Name: Judicial Branch: Judicial Council of California, Administrative Office of the Courts

Report Number: 2010-102

- 1) Which recommendation is addressed on this form? Please identify the specific recommendation number noted in the State Auditor's letter. 7 – 2.3g

Recommendation No. 7—Recommendation 2.3.g—See pages 47—49 of the audit report for information on the related finding. To better manage costs of future IT projects, the AOC should ensure that it has a long-term funding strategy in place before investing significant resources in a project.

- 2) Has your agency fully implemented the recommendation? Yes

If Yes, answer **only** questions 3 and 4 below.

If No, answer **only** question 5 and other questions, as directed in question 5.

- 3) By what date did your agency fully implement this recommendation? July 22, 2011

- 4) Explain how your agency has fully implemented the recommendation. Please also provide copies of any supporting documents or other evidence including, but not limited to, documents referenced in your explanation.

The Judicial Branch Technology Committee, in collaboration with working groups and advisory committees, is establishing a branch governance structure that will enable communication to the Judicial Council, the Legislature and all stakeholders. With the March 27, 2012 Judicial Council decision to end CCMS, the Judicial Council tasked the Technology Committee with overseeing the council's policies concerning technology. The Technology Committee is responsible in partnership with the courts for coordinating with the Administrative Director of the Courts and all internal committees, advisory committees, commissions, working groups, task forces, justice partners and stakeholders on technological issues relating to the branch and the courts. The committee is responsible for ensuring that council policies are complied with and that specific projects proceed on schedule and within scope and budget.

In May 2012, the committee established the Judicial Branch Technology Initiatives Working Group consisting of Presiding Judges, Court Executive Officers, and Court Information Officers, to assist in the overall effort of defining and confirming requirements for branchwide technology initiatives, to address the short-term critical technology needs for the Judicial Branch and a long-term strategic vision for the Judicial Branch. As a result of this effort, the Technology Committee will develop a governance structure for technology programs to provide the oversight, monitoring, transparency and accountability recommended by the BSA and further supported by the Judicial Council recommendations published August 2012. Project implementations will be subject to the approval of the Technology Committee.

In addition to the project oversight provided by the governance structure, the superior courts, appellate courts, and the Administrative Office of the Courts are subject to the Judicial Branch Contract Law, which requires the approval from the California Technology Agency for projects of the Judicial Council or the courts with total costs estimated at more than five million dollars.

We believe these measures will provide the necessary oversight to ensure a long term funding strategy.

5) Does your agency intend to fully implement the recommendation? _____

If **Yes**, answer **only** questions 6 and 7 below.

If **No**, answer **only** question 8 below.

6) By what date will your agency fully implement the recommendation? _____

7) Please describe your agency's plan for implementing the recommendation.

8) Provide your agency's reason(s) for not fully implementing the recommendation. _____

(10/10)

Update on Recommendation That Is Not Fully Implemented

Please complete a separate "Update on Recommendation That Is Not Fully Implemented" form for each recommendation.

Department Name: Judicial Branch: Judicial Council of California, Administrative Office of the Courts

Report Number: 2010-102

- 1) Which recommendation is addressed on this form? Please identify the specific recommendation number noted in the State Auditor's letter. 8

Recommendation No. 8—Recommendation 3.1.b—See pages 52—57 of the audit report for information on the related finding. Although the Judicial Council has the legal authority to compel the courts to adopt CCMS, to better foster superior court receptiveness to deploying CCMS, the AOC should continue to work with the superior courts that have deployed the civil system to ensure it is addressing their concerns in a timely and appropriate manner.

- 2) Has your agency fully implemented the recommendation? Yes

If **Yes**, answer **only** questions 3 and 4 below.

If **No**, answer **only** question 5 and other questions, as directed in question 5.

- 3) By what date did your agency fully implement this recommendation? August 10, 2012

- 4) Explain how your agency has fully implemented the recommendation. Please also provide copies of any supporting documents or other evidence including, but not limited to, documents referenced in your explanation.

Currently the Information Technology and Information Services Office (ITSO) [formerly the Information Services Division (ISD) of the Administrative Office of the Courts (AOC) conducts weekly conference calls with five superior courts that have deployed CCMS V3. The V3 support project manager facilitates weekly meetings which are attended by court project managers, technical analysts, and operational staff. During these meetings court representatives discuss operational issues and prioritize items for the next software release. Following established processes, any enhancements and defects exceeding a pre-defined level of effort (LOE) are escalated to the governance committee for approval. In addition to the weekly group meetings, weekly meetings are held with each individual court, providing an opportunity to discuss issues specific to their court.

To further support the courts, metrics are maintained to track compliance to service level agreements, as well as application performance and reliability. Over the past 12 months there has been only one severity 1 (critical) issue recorded. The CCMS V3 application has been extremely stable.

Regarding the future, the Judicial Council Technology Committee created the Judicial Branch Technology Initiatives Working Group and developed multiple workstreams to address various technology issues facing the branch. Their goal is to make recommendations to the Judicial Council to specifically address the technology issues. One such workstream is the V2/V3 Maintenance workstream tasked with determining how the courts that are currently using V2 or V3 will be supported. The V2/V3 workstream is chaired by the Court Executive Officer for Orange County and the Court Information Technology Officer from Fresno. It is a collaborative effort. Representatives from V3 and V2 courts including Orange, Sacramento, San Diego, Ventura, San Joaquin, and Fresno, with participation by AOC Information and Technology Services staff. The courts are preparing a proposal regarding the future of the V2 and V3 case management systems. The document addresses maintenance and support, governance, funding,

addition of courts, hosting, and life expectancy of the case management systems. Current Service Level Agreements (SLAs) are being met.

In consideration of current support activities and those planned for the future, we believe the concerns of the courts using the civil case management system, CCMS V3, are being addressed in a timely and appropriate manner.

5) Does your agency intend to fully implement the recommendation? _____

If **Yes**, answer **only** questions 6 and 7 below.

If **No**, answer **only** question 8 below.

6) By what date will your agency fully implement the recommendation? _____

7) Please describe your agency's plan for implementing the recommendation. _____

8) Provide your agency's reason(s) for not fully implementing the recommendation. _____

(10/10)

Update on Recommendation That Is Not Fully Implemented

Please complete a separate "Update on Recommendation That Is Not Fully Implemented" form for each recommendation.

Department Name: Judicial Branch: Judicial Council of California, Administrative Office of the Courts

Report Number: 2010-102

- 1) Which recommendation is addressed on this form? Please identify the specific recommendation number noted in the State Auditor's letter. 9
Recommendation No. 9—Recommendation 3, l.c.—See pages 52 and 57—59 of the audit report for information on the related finding. Although the Judicial Council has the legal authority to compel the courts to adopt CCMS, to better foster superior court receptiveness to deploying CCMS, the AOC should work with superior courts to address concerns about hosting data at the California Court Technology Center (Technology Center). Further, the AOC should take steps to ensure that superior courts do not lose productivity or efficiencies by hosting data at the Technology Center.
- 2) Has your agency fully implemented the recommendation? Yes
If Yes, answer **only** questions 3 and 4 below.
If No, answer **only** question 5 and other questions, as directed in question 5.
- 3) By what date did your agency fully implement this recommendation? August 10, 2012

Explain how your agency has fully implemented the recommendation. Please also provide copies of any supporting documents or other evidence including, but not limited to, documents referenced in your explanation.

The CCTC provides consistent, cost-effective, and secure hosting services, including ongoing maintenance and operational support, data network management, desktop computing and local server support, tape back-up and recovery, help desk services, email services, a dedicated service delivery manager, and a disaster recovery program. In the event of a significant interruption of court services, the Disaster Recovery program ensures that infrastructure and network services, and trial and appellate court applications hosted in the CCTC can be safely and securely backed-up, redirected, and restored.

CCTC services allow the courts to rely on the skills and expertise of their maintenance and support teams to configure and install software and hardware upgrades and address other minor and critical issues. Courts also benefit from enterprise hardware and software license agreements, as well as bulk volume discounts in purchasing. In addition, centralized changes (e.g. hardware and software patches) are much easier and more efficient to install, while the central help desk support provides the courts a single point of contact.

To address the needs of the courts, each program has a delivery manager who works directly with the courts to address day-to-day issues and concerns, as well as extended challenges. Weekly, the delivery manager meets with CCTC staff on behalf of the courts to address any service issues.

Regarding the future, the Judicial Council Technology Committee created the Judicial Branch Technology Initiatives Working Group and developed multiple workstreams to address various technology issues facing the branch. Their goal is to make recommendations to the Judicial Council to specifically address the technology issues. One such workstream is the V/2V3

Maintenance workstream tasked with determining how the courts currently using V2 or V3 will be supported going forward. Another workstream is the Technology Roadmap, tasked with defining the technology vision for the branch. Both workstreams are collaborative efforts led by trial court executives and sponsored by judicial officers. The issue of hosting will be addressed by both workstreams as they address the question of local versus central hosting. At the conclusion of the project, recommendations will be provided to the Judicial Council.

In consideration of current support activities and those planned for the future, we believe the concerns of the courts hosted at the California Courts Technology Center are being addressed to guard against potential loss of productivity and or efficiencies. System reliability and availability at the CCTC has been stable and help desk tickets are being handled expeditiously. Performance is governed contractually through strict Service Level Agreements (SLAs) and monitoring, including financial consequences to the Technology Center vendor, SAIC, should SLAs ever be missed. The AOC has never had to exercise this contract clause due to missed SLAs.

The Technology Roadmap Workstream is working on the future of judicial branch technology.

- 4) Does your agency intend to fully implement the recommendation? _____

If Yes, answer **only** questions 6 and 7 below.

If No, answer **only** question 8 below.

- 5) By what date will your agency fully implement the recommendation? _____

- 6) Please describe your agency's plan for implementing the recommendation. _____

- 7) Provide your agency's reason(s) for not fully implementing the recommendation. _____
